

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

NATHANIEL WARREN

Plaintiff,

vs.

Civil No. \_\_\_\_\_

HIGH COUNTRY TRANSPORTATION, INC.,

Defendant.

**COMPLAINT FOR DAMAGES**  
**ARISING FROM MOTOR VEHICLE ACCIDENT**

Plaintiff, through his undersigned counsel, states and alleges as follows:

**Jurisdiction and Parties**

1. This is an action for damages arising from a motor vehicle accident that took place in New Mexico. This Court has jurisdiction pursuant to 28 U.S.C. § 1332, based on the diverse citizenship of the parties.

2. Plaintiff Nathaniel Warren is an individual who is a resident and citizen of the State of Arizona.

3. Defendant High Country Transportation, Inc. is, according to records of the New Mexico Public Regulatory Commission, a company incorporated in the State of Utah, which has its principal place of business in the State of Colorado.

4. On February 17, 2012, a semi tractor and trailer (hereinafter “truck”) owned by Defendant and operated by a driver named Alec Thomas was travelling on County Road 6700 in San Juan County, New Mexico.

5. On information and belief, Defendant was the employer of Alec Thomas, and Mr. Thomas was acting in the course and scope of his employment at the time of the event sued upon herein.

6. The truck turned onto New Mexico Highway 64, intending to make a left turn and proceed westward on the Highway.

7. The truck entered Highway 64 without stopping, without waiting for oncoming traffic on Highway 64, and without yielding the right of way to traffic on Highway 64.

8. As a result of the improper entry of the truck onto Highway 64 in the path of eastbound traffic on the Highway, an automobile driven by Plaintiff Nathaniel Warren collided with the truck.

9. The collision was caused by the negligence of Defendant's driver, as alleged above.

10. Defendant is responsible for the negligence of its employee under the doctrine of *respondeat superior*. Defendant is therefore liable to Plaintiff for his damages, as described herein.

11. As a result of the collision, Plaintiff Nathaniel Warren sustained fractures of his ulna and radial stylus, which required surgery, a fracture of his clavicle, injury to his back and his ribs, a pulmonary contusion, and other injuries.

12. The injuries sustained in the collision have caused Nathaniel Warren to require extensive medical treatment, costing approximately \$50,000 to date.

13. The injuries have also caused Plaintiff to incur pain, suffering, loss of functional ability and lost wages, all of which which are expected to continue into the future. He has permanent injuries, and he will require additional medical treatment in the future.

14. As a result of the collision, the vehicle driven by Plaintiff was a total loss as a result of the accident. The owner of the vehicle, Plaintiff's father, has assigned to him the right to recover damages related thereto, including loss of the vehicle and loss of use of the vehicle.

WHEREFORE, Plaintiff Nathaniel Warren requests that this Court take jurisdiction over this claim, enter judgment in his favor, and award him damages in an amount to be proven at trial and such other and further relief as the Court may deem appropriate.

Respectfully submitted,

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/s/

Earl Mettler  
Mettler Law Office  
Post Office Box 130  
Shiprock, NM 87420-0130  
(505) 884-0078  
EMettler@MettlerLawOffice.com  
Attorney for Plaintiff